

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**FILED**  
**IN CLERKS OFFICE**  
**2005 JAN 27 P 2:06**

DEBORAH WELLS,

Plaintiff,

v.

HALLMARK HEALTH SYSTEM, INC.

Defendant.

U.S. DISTRICT COURT  
DISTRICT OF MASS

CASE NO. 04-CV-10164-MEL

**JOINT MOTION TO AMEND SCHEDULING ORDER**

The Parties hereby jointly move the Court to amend the Scheduling Order in this case to: 1) extend the discovery period to April 29, 2005; 2) extend the period for service of Rule 56 Motions to June 30, 2005; 3) extend the period for disclosure of expert witnesses to 30 days following any order by the Court denying summary judgment and/or allowing any part of this case to go to trial (if necessary); and 4) extend the period for expert discovery to 45 days following the 30-day expert witness disclosure deadline (if necessary).

As grounds for this Motion, the parties state as follows:

1. Under the present Scheduling Order, discovery in this matter is to be completed by January 30, 2005.

2. However, due to the undersigned Plaintiff's counsel's recent stroke, he is currently hospitalized and is - and will continue for some time to be - unable to attend to the requirements of this matter.

3. The Defendant joins the Plaintiff in this Motion.

4. This is the first request by the parties to extend the Scheduling Order in this case.

WHEREFORE, the Parties respectfully request that the Court enter an order: 1) extending the discovery period to April 29, 2005; 2) extending the period for service of Rule 56 Motions to June 30, 2005; 3) extending the period for disclosure of expert witnesses to 30 days following any order by the Court denying summary judgment and/or allowing any part of this case to go to trial (if necessary); and 4) extending the period for expert discovery to 45 days following the 30-day expert witness disclosure deadline (if necessary).

Respectfully submitted,

The Plaintiff,

DEBORAH WELLS

By her attorney,

The Defendant,

HALLMARK HEALTH SYSTEM,  
INC.,

By its attorneys,

*Richard H. Pettingell* / *By Permission*  
Richard H. Pettingell  
(BBO #397320)  
Law Offices of Richard H.  
Pettingell, P.C.  
77 N. Washington Street, 2d Fl.  
Boston, MA 02114  
(617) 778-0890

*John M. Simon*  
Macon Magee (BBO #550602)  
John M. Simon (BBO #645557)  
Stoneman, Chandler & Miller  
99 High Street  
Boston, MA 02110  
(617) 542-6789

Dated: January 26, 2005

**Certificate of Service**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail <sup>(+fax)</sup> on 1-26-05.